



Enforcement News

Cleanup and Abatement Order Issued for Point Buckler Island

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OAKLAND -- The [San Francisco Bay Regional Water Quality Control Board](#) has issued a Cleanup and Abatement Order for John D. Sweeney and Point Buckler Club, LLC, for unauthorized levee construction at Point Buckler Island in Solano County.

In addition to the unauthorized levee construction, the order also covers filling, grading and vegetation removal that discharged fill to 3.2 acres of the Suisun tidal marsh. The levee construction cut off tidal flow for nearly two years, contributing to the ongoing degradation of approximately 30 acres of tidal marsh at Point Buckler Island.

The Suisun Marsh is a critically important resource for fish and other species, and a key part of the San Francisco Bay-Delta estuary. The dischargers' unauthorized work likely harmed beneficial uses, including estuarine habitat, fish migration, preservation of rare and endangered species, fish spawning, wildlife habitat, and commercial and sport fishing.

The dischargers have delayed corrective actions for more than a year. They dispute that the island was tidal marsh. However, information collected by Regional Water Board staff and experts, including topographical data, determined that almost the entire island was well below the high tide line.

The Cleanup and Abatement Order requires the dischargers to submit an interim corrective action plan and a restoration plan to restore the water quality, functions, and values that existed before the unauthorized activities. They are also required to submit a mitigation and monitoring plan to compensate for the impacts their unauthorized activities caused.

The Regional Water Board also issued an Administrative Civil Liability Complaint in May 2016 seeking \$4.6 million in civil liability. A separate hearing on this matter is currently scheduled for December 2016.

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